



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105-3901

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Wednesday, December 18, 2013

Ivan Sidney, Business Manager
First Mesa Consolidated Villages
P.O. Box 260
Polacca, AZ 86042

REPORT OF VIOLATIONS OF THE SAFE DRINKING WATER ACT

Dear Mr. Sidney:

This letter is to notify you of violations of the Safe Drinking Water Act (SDWA) and what must be done to correct the violations for the public water system (PWS) shown below:

Polacca, PWS ID#0400106

The violations reported by EPA Region 9 to EPA HQ for the period ending on 9/30/2013 can be found on the attached table.

Public Notification Requirements

The public must be notified any time there is a violation of the SDWA. Depending on the severity of the violation, the type of Public Notice required will fall into one of three "tiers." The final column of the table labeled "Public Notice Tier" indicated the type of Public Notice required for the associated violation. If this PWS is required to distribute an annual Consumer Confidence Report, the Tier 3 notifications can be included in that report. Public Notice templates and handbook can be obtained by request from EPA or can be found at:

http://water.epa.gov/lawsregs/rulesregs/sdwa/publicnotification/compliancehelp_templates.cfm

Failure to comply with the public notice requirement will result in further violations.

Tier 1 violations require notification within 24 hours.

Tier 2 violations allow 30 days for notification.

Tier 3 violations require annual notification.

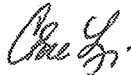
Return to Compliance

EPA determines that the drinking water system has returned to compliance when the system reports the required sample results, or corrects the violation appropriately. An official Return to Compliance (RTC) will be entered into our records at that point. All violations and RTCs are reported to the EPA website, see: http://www.epa-echo.gov/echo/compliance_report_sdwa.html

Violations of the SDWA that are not corrected lead to a PWS being designated as an 'Enforcement Priority', as identified on EPA's national Enforcement Targeting Tool list. Drinking water systems that acquire this designation are targeted priorities for possible enforcement action by EPA. Furthermore, Enforcement Priority status precludes eligibility for funding under our infrastructure program, unless the proposed project will bring the system into compliance.

If your system has returned to compliance including the requirement to provide public notice, no further action is necessary. If you have questions regarding this matter, please contact Bessie Lee of my staff at (415) 972-3776.

Sincerely,



Corine Li, Manager
Drinking Water Office

cc: Herman Honanie, Chairman
Alfonso Sakeva, Water Operator
Lionel Puhuyesva, Director, WRP
Belma Navakuku, CSA
Gail Poley, CSA

Polacca, PWS ID#0400106**Table of Violations reported by EPA Region 9 to EPA Headquarters for period ending 9/30/2013****Violation Type: Failure to conduct triggered, assessment or other source water monitoring.**

<u>Contaminant</u>	<u>Violation Period*</u>	<u>Sample Date</u>	<u>Result</u>	<u>Violation Comment +</u>	<u>Public Notice Tier</u>
E. Coli (Eschericia Coli)	7/1/2013	N/A	N/A	Reported 0 Source Water results out of 2 required under the Ground Water Rule.	0
	7/31/2013				
E. Coli (Eschericia Coli)	9/1/2013	N/A	N/A	Reported 0 Source Water results out of 4 required under the Ground Water Rule.	0
	9/30/2013				

The Water System must do the following: Submit ground water source(s) analysis report for fecal contamination.

Violation Type: Failure to post/submit official Public Notification as required by SDWA.

<u>Contaminant</u>	<u>Violation Period*</u>	<u>Sample Date</u>	<u>Result</u>	<u>Violation Comment +</u>	<u>Public Notice Tier</u>
Public Notice Rule	4/1/2013			Failure to post or submit Tier 2 Public Notice for Violation type: MCL, Average - EP001: Running annual average violation calculated from the last sample submitted and the group of results from the previous 4 quarters.: Arsenic: 4/1/2013	3

The Water System must do the following: Post and submit required Public Notice.

Violation Type: Failure to submit Consumer Confidence Report by July 1 deadline.

<u>Contaminant</u>	<u>Violation Period*</u>	<u>Sample Date</u>	<u>Result</u>	<u>Violation Comment +</u>	<u>Public Notice Tier</u>
Consumer Confidence Report	7/1/2013	N/A			0

The Water System must do the following: Submit CCR and Certification of Delivery for CCR currently due.

Violation Type: Maximum Contaminant Level violation for chemical contaminant (running average, 4 qtrs.)

<u>Contaminant</u>	<u>Violation Period*</u>	<u>Sample Date</u>	<u>Result</u>	<u>Violation Comment +</u>	<u>Public Notice Tier</u>
Arsenic	7/1/2013	N/A	.018	EP002: Running annual average violation calculated from the last sample submitted and the group of results from the previous 4 quarters. Ssytem under an Arsenic Compliance Plan.	2
	9/30/2013				

The Water System must do the following: Report quarterly monitoring for contaminant in violation, until running annual average is below MCL for 6 months.

Violation Type: Minor monitoring/reporting violation for routine bacteriological monitoring.

<u>Contaminant</u>	<u>Violation Period*</u>	<u>Sample Date</u>	<u>Result</u>	<u>Violation Comment +</u>	<u>Public Notice Tier</u>
Total Coliform	8/1/2013 8/31/2013	N/A		4 reported of the 5 required after positive result in the month prior	3

The Water System must do the following: Report all future required results.

* Depending on the contaminant and your public water system's monitoring schedule, violations are reported in the quarter following the due date.

+ The comment field indicates the reason for the violation and may indicate whether the system has corrected the violation, issued public notice, or remains out of compliance.

FMCV
WATER SAMPLE LISTING APRIL- DEC. 2013

DATE MAILED TO EPA, BESSIE LEE	WATER SAMPLE DATE TAKEN BY WATER OPERATOR
4/11/2013	4/2/2013
5/13/2013	5/6/2013
6/20/2013	6/3/2013
7/15/2013	7/8/2013
8/13/2013	8/5/2013
9/25/2013	9/3/2013
10/3/2013	9/5/2013
10/22/2013	10/1/2013
11/26/2103	11/4/2013
12/20/2013	12/3/2013

The information on this page was provided by Sharon, the FMCV secretary. She has stated that this is her record of water sample results which were provided to USEPA (Bessie Lee) on the dates indicated.

From conversation with Sharon, it also seems possible that correspondence between the USEPA and former FMCV water operator Elmer Nahkahlaya, who has not been employed by the FMCV for several months at least, may not have been transmitted to the utility management staff.